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REMARKS

The amendments and remarks presented herein are believed to be fully responsive to the Office Action of October 16, 2007. The amendments are fully supported in the specification and drawings as originally filed. No new matter has been added. Accordingly, reconsideration is requested.

Disposition of Claims.

Claims 1, 3-21, and 23-30 are pending in the application. Claims 1, 3, 15, and 23 have been amended herein. Claims 2 and 22 have been cancelled.

Information Disclosure Statement – 37 C.F.R. §1.98(a)(2).

The Office Action stated that the Information Disclosure Statement filed March 4, 2005 failed in part to comply with 37 CFR 1.98(a)(2), and requested duplicate copies of Japanese references 10330078 and 143154. Accordingly, Applicants have submitted herewith, under separate cover, a Supplemental Information Disclosure Statement including duplicate copies of Japanese references 10330078 and 143154 along with their English abstracts. Also submitted in the Supplemental Information Disclosure Statement is a copy of Japanese reference 61-267690 (and a corresponding English abstract), which was cited against a counterpart foreign application at the Japanese Patent Office in an Office Action dated November 13, 2007.

Claim Rejections – 35 U.S.C. § 102.

Claims 1, 2, 20-21, 27 and 30 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kawase, JP 11-278790 A ("Kawase"). Because Kawase does not disclose all of the elements arranged in the same manner as in the rejected claims, Applicants respectfully traverse. Notwithstanding, claim 1 has been amended as follows:

1. A transfer plant for loading and unloading containers from container ships at seaports, comprising:
a vertical support which is propped up at the land side
and a horizontal extension arm braced by said vertical support,

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wherein said horizontal extension arm protrudes across the ship that is to be unloaded on the sea side; and

a horizontal conveying device adapted to travel in a lengthwise direction along said extension arm;

land-side and sea-side hoisting and lowering devices adapted to pick up and put down the containers and adapted to cooperate with said conveying device, wherein said hoisting and lowering devices are arranged at the land and sea side and also on the horizontal extension arm;

intermediate storage devices that are arranged on said horizontal extension arm in the region of at least one chosen from said land-side and said sea-side hoisting and lowering devices, wherein the containers can be put down or picked up by the land-side or sea-side hoisting and lowering devices, as well as by said horizontal conveying device;

wherein said intermediate storage devices each comprise a downwardly extending support column and a horizontal swivel arm attached at a lower end of said support column and a carrying frame hinged at an end of said swivel arm away from said support column, wherein said carrying frame can swivel both into the region underneath said sea-side or land-side hoisting and lowering device and into the region of said two horizontal conveying devices into corresponding pick-up and hand-off positions for the picking up or handing off of a container; and

wherein said conveying device comprises at least two horizontal conveying devices arranged generally ~~parallel to each other~~ side-by-side on said horizontal extension arm in relation to a lengthwise direction of said horizontal extension arm, wherein said at least two horizontal conveying devices are adapted to travel independently of each other and alongside each other between the land-side and sea-side hoisting and lowering devices in ~~[[a]]~~ said lengthwise direction along said horizontal extension arm, wherein containers on each of said at least two horizontal conveying devices are conveyed generally ~~parallel to one another~~ side-by-side in said lengthwise direction of said horizontal extension arm.

Claim 1 has been amended to include, among other things, the limitations of claims 2 and 22, which are cancelled. Applicant respectfully urges that Kawase does not teach or suggest all of the limitations of amended claim 1.

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Kawase does not disclose, for example, at least two horizontal conveying devices arranged generally side-by-side on a horizontal extension arm, wherein the conveying devices are adapted to travel independently of each other and alongside each other between the land-side and sea-side hoisting and lowering devices in a lengthwise direction along the horizontal extension arm such that the horizontal conveying devices are conveyed generally side-by-side in the lengthwise direction of the horizontal extension arm. Nor is there any basis in the art to modify Kawase to include these elements. Accordingly, it is submitted that the rejection has been overcome. Withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(b) is respectfully requested.

Further, claims 20, 21, 27, and 30 all depend from claim 1 and therefore incorporate all of its limitations. Applicants respectfully urge that claims 20, 21, 27, and 30 are therefore allowable for the reasons stated above with respect to claim 1, and request withdrawal of their respective rejections under 35 U.S.C. § 102(b).

Claim Rejections – 35 U.S.C. § 103.

Claims 3-19, 22-26, 28, and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawase in view of one or more of Martin et al., Tax et al., Young, Weis and Spies.

Claims 3-14, 19, 23-26, 28 and 29 depend from claim 1 and therefore incorporate all of its limitations. Claims 3 and 23 are amended to depend from claim 1. Applicants respectfully urge that none of the cited references, including Martin et al., Tax et al., Young, Weis, and Spies, make up for the deficiencies of Kawase with respect to claim 1, discussed above. For example, none of the cited references disclose at least two horizontal conveying devices arranged generally side-by-side on a horizontal extension arm such that horizontal conveying devices are conveyed generally side-by-side in the lengthwise direction of the horizontal extension arm. Thus, Applicants respectfully submit that claims 3-19, 22-26, 28, and 29 are allowable for the reasons stated above and with respect to claim 1.

Applicants respectfully traverse the rejection of Claim 15 over Kawase in view of Spies and Tax et al. Notwithstanding, claim 15 has been amended as follows:

15. A method of loading and unloading of containers from container ships with a vertical support which is propped up at the land side and on which a horizontal extension arm is braced, wherein said extension arm protrudes across the ship that is to be unloaded on the sea side and along which at least two horizontal conveying devices can travel, wherein said conveying device cooperates with hoisting and lowering devices that pick up and put down the containers, said hoisting and lowering devices being arranged at the land and sea side and also on said horizontal extension arm, wherein said at least two horizontal conveying devices are arranged generally parallel to each other side-by-side on the horizontal extension arm in relation to a lengthwise direction of said horizontal extension arm and can travel independently of each other between the land-side and sea-side hoisting and lowering devices in ~~[[a]]~~ said lengthwise direction along the horizontal extension arm, and with intermediate storage devices arranged on the horizontal extension arm in the region of at least one chosen from the land-side and the sea-side hoisting and lowering devices, where containers can be put down or picked up by the land-side or sea-side hoisting and lowering devices, as well as the horizontal conveying devices, the method comprising:

...

c) placing the container down on the carrying frame and swiveling the container along with said carrying frame under one of the two side-by-side railways of the horizontal conveying devices,

d) positioning at least one of the horizontal conveying devices above the container on the carrying frame receiving the container and transporting the container to the end of the land-side extension arm, while the sea-side hoisting and lowering device picks up a new container,

...

h) concurrently with steps a through g, picking up a second container by the sea-side hoisting and lowering device and transporting the second container by a second of the at least two horizontal conveying devices across its other railway to the end of the extension arm at the land side, wherein the second horizontal conveying device is positioned generally

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~~parallel~~side-by-side relative to a first of the horizontal conveying devices, wherein the second container is conveyed generally ~~parallel~~side-by-side relative to a container on the first conveying device along the lengthwise direction of the horizontal extension arm and is handled in the same fashion, and

i) performing the steps a through h in reverse sequence for loading containers on a ship.

Applicant's respectfully urge that Kawase does not disclose, for example, a method of loading and unloading containers wherein two horizontal conveying devices are arranged generally side-by-side on a horizontal extension arm in relation to a lengthwise direction of the horizontal extension arm, in which the conveying devices can travel independently of each other between the land-side and sea-side hoisting and lowering devices in a lengthwise direction along the horizontal extension arm. Further, Kawase does not disclose swiveling a container along with a carrying frame under one of two side-by-side railways of the horizontal conveying devices, nor a second container conveyed generally side-by-side relative to a container on a first conveying device along the lengthwise direction of the horizontal extension arm.

Nor do any of the secondary references make up for these deficiencies. For example, neither Spies nor Tax et al. discloses two horizontal conveying devices arranged generally side-by-side on a horizontal extension arm in relation to a lengthwise direction of the horizontal extension arm, in which the conveying devices can travel independently of each other between the land-side and sea-side hoisting and lowering devices in a lengthwise direction along the horizontal extension arm.

Applicants respectfully submit that claim 15 and its dependent claims, namely claims 16-18, are thus allowable. Accordingly, withdrawal of the rejection of claims 15-18 under 35 U.S.C. §103(a) is respectfully requested.

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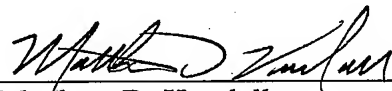
The amendments presented herein and in the Proposed Amendment are fully supported by the application as filed. Accordingly, no new matter is added. It is submitted that the present application is in a condition for allowance. A notice to that effect is earnestly solicited. If Examiner Adams has any questions or reservations, it is requested that Examiner Adams call the undersigned attorney.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhardt, LLP

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